

## **FISCAL NOTE**

### **SB 2594 - HB 2605**

February 15, 2006

**SUMMARY OF BILL:** Creates a new Class E felony offense of knowingly aiding and abetting a sexual offender in avoiding registration requirements. Requires registration as a sexual offender by any person convicted of aiding and abetting a sexual offender in avoiding registration. Imposes additional duties and reporting requirements on the Law Enforcement Advisory Council (LEAC) regarding sexual offender registration. Requires Board of Probation and Parole (BOPP) to implement lifetime satellite monitoring as a condition of release of any person convicted of a violent sexual offense. Requires State to provide automated fingerprint identification system equipment in every detention center and probation and parole office.

#### **ESTIMATED FISCAL IMPACT:**

**Increase State Revenues – \$116,100 First Year  
\$152,500 Second and Succeeding Years**

**Increase State Expenditures – \$38,400 / Incarceration\*  
Exceeds \$10,000,000 / Recurring  
\$1,110,300 / One-Time**

#### **Assumptions:**

- GPS offenders are required to pay \$600 per year to cover monitoring costs; however, according to BOPP, 90% of the GPS offenders are indigent and unable to pay. For the first year, BOPP will have a total of 1,935 new offenders on the GPS program (1,935 x \$600 = \$1,161,100). Ten percent of those will pay \$116,100. The second and succeeding years, BOPP will have 607 new offenders on the GPS program (607 x \$600 = \$364,200). Ten percent of those will pay \$36,420. Total revenues will be \$152,520.
- According to the U. S. Census Bureau, population growth in Tennessee has been 1.09% per year for the past 10 years, yielding a projected compound population growth of 13.6% over the next ten years.
- Six persons will be convicted of Class E felony offenses for aiding and abetting a sexual offender in the first year. Population growth of 1.09 percent per year will result in one additional offender charged with this

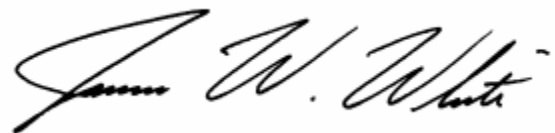
Class E felony offense in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based upon 7 offenders serving 0.3 years.

- Seven offenders will serve 0.3 years (109.58 days). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate is \$5,481.19 (\$50.02 x 109.58 days). The total operating cost is \$38,368.33 (\$5,481.19 x 7 offenders).
- BOPP will implement lifetime satellite monitoring of sex offenders. Under current law, satellite monitoring is discretionary with BOPP and is limited to the term of probation or parole. BOPP currently operates a limited monitoring system as a pilot project tracking approximately 380 offenders. In addition to approximate 1,300 sex offenders who are under BOPP supervision and would be added immediately to the satellite tracking system, approximately 430 new sex offenders are added to BOPP's supervisory responsibilities each year. All of these offenders will be placed under lifetime satellite monitoring. Approximately 175 sex offenders are placed on probation each year, and will also undergo lifetime satellite tracking.
- LEAC's additional duties can be handled within existing resources.

*\* Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director